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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STEVEN A. ODOM, #161794,

Petitioner,

Case No. 2:20-cv-12180

-vs-

HONORABLE ARTHUR J. TARNOV

BRYAN MORRISON, WARDEN

MAGISTRATE JUDGE ANTHONY P. PATTI

Respondent.

**EX-PARTE EMERGENCY MOTION FOR IMMEDIATE CONSIDERATION OF
PETITIONER'S MOTION FOR BOND**

Petitioner, Steven A. Odom, in pro se, pursuant to Local Rule 7.1, moves this Honorable Court for emergency consideration of his Motion for Release on Bond (ECF No. 7), and states:

1. On August 4, 2020, Petitioner filed a Writ of Habeas Corpus with this Court pursuant to 28 U.S.C. § 2254. (ECF No. 1). On August 14, 2020, the Court ordered Respondent to file a responsive pleading and the Rule 5 materials by October 23, 2020. (ECF No. 4). The Respondent did not file an answer or the Rule 5 materials as ordered by the Court, nor did he file a motion for an enlargement of time in which to respond.

2. On November 6, 2020, Petitioner filed a motion for release on bond. (ECF. No. 7). That motion is currently pending before the Court.

3. On January 5, 2021, the Court issued another order requiring the Respondent to file an answer to the petition and the Rule 5 materials within 60 days or show cause why he cannot comply with the Court's order. (ECF No. 9, PageID.504-506). The Court also ordered Respondent to answer Petitioner's other pending motions before the Court. Id.

4. Petitioner contends, with all due respect to the Court's order, that waiting an additional 60 days or more to address the merits of his motion for release on bond, when he is living under conditions of confinement that place him at a significant risk of serious or life threatening harm from COVID-19, would not be in the best interest of justice. See *Johnston v. Marsh*, 227 F.2d 528, 530-531 (3rd Cir. 1955)

5. Specifically, Petitioner tested positive for COVID-19 in April of 2020. (See ECF No. 7, Appendix A, #1). Four months thereafter, he began to complain of pleuritic chest pain and difficulty breathing. As a result, Dr. Elizabeth Ralles ordered an x-ray on 08/26/2020. However, on 09/28/2020, the x-ray had still not been performed despite Petitioner's repeated complaints that his condition was worsening and that his urine smelled like ammonia. (See MDOC Kite Response Dated 09/29/2020 attached as, Appendix A).

6. On October 7, 2020, lab results revealed that Petitioner had high levels of ammonia in his blood. (See MDOC Lab Report Dated 10/07/2020 attached as, Appendix B).¹ High levels of ammonia in the blood is caused when the kidneys or liver aren't working properly. An indication that there is presently something seriously wrong with Petitioner's health.²

7. Subsequently, on October 9, 2020, an x-ray of Petitioner's chest was finally performed and revealed pneumonia. The x-ray also revealed that there was "...tortuosity of the thoracic aorta." (See MDOC Radiology Report Dated

1. Petitioner received this lab report on 11/19/2020.

2. Petitioner was prescribed Lactulose in an attempt to bring his ammonia levels down. However, on 01/09/2021, his Medical Provider (MP), Coe E. Hill, advised him that his lab results from 11/24/2020 showed that his ammonia levels had doubled since 10/07/2020. Petitioner has requested those lab reports, but as of this filing, the MDOC has not provided them to him. The MDOC also took blood and urine samples from Petitioner on 01/11/2021; he has requested those lab reports too.

10/09/2020 attached as, Appendix C).³

8. As a result of this diagnoses, Petitioner was prescribed an Azithromycin Z-Pack on 10/12/2020. Despite this treatment, Petitioner advised Dr. Rallee and MP Hill that his symptoms were getting worse and that he was experiencing debilitating pain in his right flank area. (See MDOC Kite Response Dated 11/01/2020 attached as, Appendix D). In response to his complaint of right flank pain, the MDOC ordered another chest x-ray.

9. Petitioner contends that despite the many precautions the MDOC has taken to stop the spread of COVID-19 in its facilities, it is incapable of (1) protecting him from further infection; (2) providing him with adequate post COVID-19 medical care, and (3) diagnosing and treating his current serious medical needs.

10. More specifically, when Petitioner first filed his motion for release on bond there were two documented cases of COVID-19 cases at the Lakeland Correctional Facility (LCF). (See ECF No. 7, Appendix B). Since then, however, there have been numerous outbreaks of the virus at LCF, and throughout the MDOC. (See MDOC Positive Covid-19 Case Reports attached as, Appendix E). As a result, whole units at LCF have been quarantined, and a prisoner with lung cancer in Petitioner's housing unit, Mattlock #171147, just tested positive for the virus on 01/11/2021. (See MDOC COVID-19 Report Dated 01/13/2021 attached as, Appendix F). This positive infection in Petitioner's housing unit has placed him at a significant risk of reinfection from COVID-19.⁴

3. Petitioner received this lab report on 11/19/2020.

4. Specifically, Petitioner couldn't distance himself from Mattlock or the other 78 prisoners living in his open-dorm housing unit. All 79 prisoners share the same eight-toilets, six-wash basins, three-telephones, two-microwaves, one-store kiosk, one-J-Pay kiosk and six-shower heads. Petitioner is also the Lead Porter in the unit and is required to clean all infected surface areas with only a mask, rubber gloves (when available), and watered-down chemical solutions: multi-purpose cleaner and bleach.

11. Further, the MDOC in taking almost two months to x-ray Petitioner's chest, a post COVID-19 survivor and chronic care patient who takes Albuterol and Umeclidinium for Chronic Obstructive Pulmonary Disease (COPD); Atrovastatin for Hyperlipidemia, and Lisinopril for Hypertension, surely placed his life at risk from pneumonia.

12. And, the continued delay in having Petitioner's liver or kidneys examined when he has (a) high levels of ammonia in his blood, and (b) been complaining of debilitating pain in his right flank area for months (Appendix D), is jeopardizing his life. Because if the cause of the infection is not soon determined, Petitioner could become gravely ill and lapse into a coma from Encephalopathy; that is, if it is his liver that isn't functioning properly.

13. And even though this may be true, the MDOC refuses to even allow Petitioner to obtain, at his family's expense, the test necessary to diagnose his symptoms so he can be treated. (See MDOC Kite Response Dated 01/05/2021 attached as, Appendix G). Nonetheless, Petitioner should have been taken to a hospital when he collapsed in the dining hall at LCF on October 17, 2020. (See ECF #7, Appendix A, #5).

14. Finally, Petitioner's complaints are not speculative. He could be re-infected with COVID-19 as it runs rampant throughout LCF and the MDOC. And the reality is, despite all its efforts, the MDOC "...can only do so much given the structure of the prison system" to contain the virus. See *Clark v. Hoffner*, 2020 U.S. Lexis 61577, *12 (E.D. Mich., Case No. 16-11959, April 8, 2020). In other words, the MDOC cannot contain the virus because it hasn't socially distanced prisoners in its housing units.

15. Further, and the risk of harm to Petitioner's health is not speculative when the MDOC fails to provide him timely and adequate medical care to diagnose and treat his post COVID-19 complaints. Especially when he has serious chronic

underlying medical conditions; because post COVID-19 ailments can be just as deadly for Petitioner, as the virus itself.

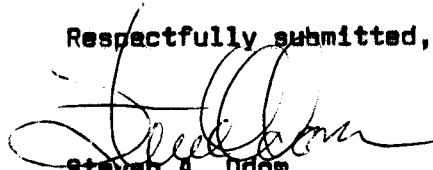
16. Therefore, this Court should either grant Petitioner release on bond, or grant him temporary release to home confinement so he can obtain the immediate and necessary medical care he needs. *Johnston v. Marsh*, 227 F.2d at 530-531. See also, *U.S. v. Perez*, No. 19 Cr. 297 (PAE), 2020 U.S. Dist Lexis 51867, 2020 WL 1329225, at *1 (S.D.N.Y. March 19, 2020) (where defendant is under conditions of confinement which expose him to a deadly virus and contribute to the deterioration of his health).

17. Petitioner incorporated by reference the documents in the Appendix and the Brief in Support of his motion for release on bond currently pending before the Court. (ECF No. 7).

WHEREFORE, Petitioner prays that this Honorable Court will urgently consider the merits of his motion for release on bond.

NOTE: Because of the incarceration handicap, and the fact that no appearance has been filed by the Attorney General's Office on Respondent's behalf, Petitioner was unable to conduct a conference.

Respectfully submitted,



Steven A. Odom
In Pro Per
Lakeland Correctional Facility
141 First Street
Coldwater, Michigan 49036

Dated: January 18, 2020

A P P E N D I X "A"

MDOC MEDICAL KITE RESPONSE DATED: 09/29/2020

Michigan Department of Corrections
Kite Response

Offender #: 0161794 **Offender Name:** Odom, Steven Aderrick

Location: LCF - LAKELAND CORRECTIONAL FACILITY **Lock:** B4:032:Bot:B4

Discipline: Medical

Received Date: 09/29/2020

Initiated Date: 09/28/2020

Taken By: Blue, Lori [LB6] RN

Request Type: Medical Question

Request Summary: On 8/26/2020 Dr. Ralles ordered a chest ex-ray because I've been experiencing Pleuritic pain. My condition has worsened. That is (1) Friday & Saturday I was coughing up dark brown mucus: (2) short breaths cause me pain: (3) I can't walk far without getting fatigued, and (4) my urine smells like ammonia. As such , I need to go to a hospital. if, however , I am not sent to a hospital by 09/30/2020 for diagnoses and treatment , I'm going to have me family and my attorney call the Bureau of Health Care to see if they can get me to a hospital before my health deteriorates completely.

Plan/Action: Nursing appt requested

Comments:

A P P E N D I X "B"

MDOC LAB REPORT DATED: 10/07/2020

Department of Corrections
Lab Report

Offender Name: Odom, Steven Aderrick
Date of Birth: 08/01/1962
Report Date: 10/07/2020

Sex: M
Provider: HILL, E'COE

Off #: 0161794

Test Name	Lab	Collection Date	Results Date
	Result	Reference Range	
COMMENTS:			
AMMONIA {NH3}		10/06/2020 00:15	10/07/2020 06:40
AMMONIA	48 (H)	11-35 UMOL/L	

A P P E N D I X "C"

MDOC RADIOLOGY REPORT DATED: 10/09/2020

MICHIGAN DEPARTMENT OF CORRECTIONS
BUREAU OF HEALTH CARE
RADIOLOGY REPORT

PATIENT NAME AND NUMBER: Odom, Steven 161794
PATIENT LOCK: LCF
REQUESTING PROVIDER: Hill

DATE OF EXAM: 10/09/2020
FACILITY OF EXAM: DWH

TYPE OF EXAM: CHEST, TWO VIEWS

Correlation was made to a previous study of 07/10/2019.

FINDINGS: A mild interstitial infiltrate is identified of both perihilar regions. In this clinical setting, an early interstitial pneumonia should be considered. The heart size is within normal limits with tortuosity of the thoracic aorta. The pulmonary vasculature appears normal.

Degenerative changes, in a mild to moderate degree, are re-demonstrated of the vertebral bodies of the thoracic spine.

IMPRESSION:

Bilateral interstitial infiltrates of the perihilar regions representing pneumonia. Clinical correlation is recommended.

Michael Henderson, DO #11462
MDOC Medical Provider

MH / nq
10/09/2020 6:53 PM / 10/12/2020 8:41 AM
24544059

Odom, Steven 161794
DOB: 08/01/1962

A P P E N D I X "D"

MDOC MEDICAL KITE RESPONSE DATED: 11/01/2020

Michigan Department of Corrections
Kite Response

Offender #: 0161794 **Offender Name:** Odom, Steven Aderrick

Location: LCF - LAKELAND CORRECTIONAL FACILITY

Lock: B4:032:Bot:B4

Discipline: Medical

Received Date: 11/01/2020

Initiated Date: 10/30/2020

Taken By: Blue, Lori [LB6] RN

Request Type: Medical Question

Request Summary: NOTICE IS HEREBY GIVEN to Dr. Lizebeth Ralles and Nurse Practitioner Coe E. Hill , that the Azithromycin Z-pack issued on 10/12/2012 , did not do anything to abate my painful breathing symptoms, In fact, my symptoms have worsened since then. That is, it is more painful for me to breath today then it was prior to being prescribed any medication , additionally , I feel nauseous all the time: I've lost my appetite: my chest feels filled with fluid , and the pain I'm experiencing in my right flank-area , is debilitating. I FURTHER saith not.

Plan/Action: Nursing appt requested

Comments:

A P P E N D I X "E"

MDOC COVID-19 POSITIVE CASE REPORTS DATED:

1. DECEMBER 15, 2020
2. DECEMBER 13, 2020
3. DECEMBER 03, 2020
4. DECEMBER 03, 2020
5. NOVEMBER 25, 2020
6. NOVEMBER 19, 2020
7. NOVEMBER 18, 2020

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 15, there were 97 new positive cases to report. They include:

The positive cases include:

Carson City Correctional - 39

Cooper Street Correctional - 37

Lakeland Correctional - 13

Michigan Reformatory - 4

Oaks Correctional - 3

Women's Huron Valley - 1

Prisoner deaths

We are sad to report the deaths of three prisoners who had tested positive for COVID-19. The first prisoner had originally been housed at Baraga Correctional Facility and the second and third were both housed at Carson City Correctional Facility.

There have now been 102 prisoners in MDOC custody to pass away from this virus.

Video Visiting Update – ICF and MTU starting soon

Progress continues to be made in the department's efforts to implement video visitation. This update shares new dates for both Ionia Correctional Facility (ICF) and Richard A. Handlon Correctional Facility (MTU) showing when online scheduling will be opened and when the first video visits will be held. Fortunately, the vendor circuit upgrades for both facilities are nearing completion (meaning they will have the bandwidth necessary for video visits) and we have now removed the TBD and replaced it with dates for these two facilities:

MDOC Pilot Facility	Pilot Vendor	Installation Start Date	When can online scheduling begin?	First Video Visits
Parnall Correctional Facility (SMT)	GTL	9/28/2020	10/9/2020	10/12/2020

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 13, there were 369 positive cases and no negative results to report.

The 369 positive cases included:

Carson City Correctional - 363

Thumb Correctional Facility - 6

There were no negative results to report today.

Prisoner Deaths

We are sad to report the deaths of four prisoners who had tested positive for COVID-19. The first prisoner had originally been housed at Richard A. Handlon Correctional Facility, the second at Carson City Correctional Facility, the third at Chippewa Correctional Facility, and the fourth at Cooper Street Correctional Facility.

There have now been 99 prisoners in MDOC custody to pass away from this virus.

Remembering Retired Warden Howes

We are sad to report the death of retired Warden Carol Rose Howes, who passed away this past Thursday, December 10, at Bronson Methodist Hospital in Kalamazoo.

Warden Howes retired from the Michigan Department of Corrections in 2012 after serving as a Warden for 27 years and was the class namesake for the 2012 Howes Officer Recruit Training Academy Class.

Our thoughts are with her family, friends, and our colleagues who knew and worked with Carol during her time with the MDOC.

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Prisoner cases

On Dec. 3, there were 1,362 positive cases and 5 negative results to report.

The 1,362 Positive Cases Include:

Central Michigan Correctional - 441

St. Louis Correctional - 195

Chippewa Correctional - 58

Earnest C. Brooks - 56

Newberry Correctional - 45

Cooper Street Correctional - 539

Kinross Correctional - 14

Baraga Correctional - 6

Alger Correctional - 2

Gus Harrison Correctional - 2

Richard A. Handlon Correctional - 2

Carson City Correctional - 1

Woodland Correctional - 1

The new negative cases include:

Marquette Branch Prison - 5

Prisoner deaths

We are sad to report the deaths of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Kinross Correctional Facility

There have now been 90 prisoners in MDOC custody to pass away from this virus.

Economic Impact Payments

As it works to process Economic Impact Payments for prisoners, the IRS has sent letters to some prisoners requesting the prisoner to verify their identity.

If you have received such a letter, you should contact your PC.

In order to complete the form for the IRS, you will need to have...

The Control Number on the letter received

The Adjusted Gross Income Amount -1040 Line 8b

The Refund Amount – 1040 Line 21a

Name, Title, and Email of the Requesting Official

Name of Facility

With that information, the facility will complete the form and send it to the IRS on your behalf.

B4

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 3, there were 404 positive cases and one negative result to report.

The 404 positive cases included:

Chippewa Correctional - 168

Charles Egeler Reception and Guidance - 106

St. Louis Correctional - 48

Newberry Correctional - 32

Central Michigan Correctional - 28

Saginaw Correctional - 8

Richard A. Handlon Correctional - 6

Baraga Correctional - 2

Gus Harrison Correctional - 2

Duane Waters Health Center - 1

Ionia Correctional - 1

Macomb Correctional - 1

Michigan Reformatory - 1

The new negative was from Women's Huron Valley.

Prisoner death

We are sad to report the death of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Earnest C. Brooks Correctional Facility

There have now been 91 prisoners in MDOC custody to pass away from this virus.

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Nov. 25, there were 207 positive cases and 3 negative results to report.

Positive cases include:

Gus Harrison Correctional - 175

Central Michigan Correctional - 8

Women's Huron Valley - 8

Carson City Correctional - 7

Charles Egeler Reception & Guidance - 5

Lakeland Correctional - 1

Newberry Correctional - 1

Cooper Street Correctional (SAI) – 1

The three new negative results were from Charles Egeler Reception & Guidance.

Prisoner deaths

We are sad to report the deaths of two prisoners who had tested positive for COVID-19. One prisoner had originally been housed at Richard A. Handlon Correctional Facility and the other at Muskegon Correctional Facility.

There have now been 79 prisoners in MDOC custody to pass away from this virus.

CDC says, "Take 3 Actions" to fight flu

#1 TAKE TIME TO GET A FLU VACCINE

CDC recommends a yearly flu vaccine as the first and most important step in protecting against flu and its potentially serious complications.

While there are many different flu viruses, flu vaccines protect against the viruses that research suggests will be most common. Flu vaccination has been shown to: Reduce flu illnesses,

B4

BY

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

CARES Act Payment call

Some prisoners may have received correspondence from the IRS asking them to call to confirm their identity, relating to the Coronavirus Aid, Relief, and Economic Security Act "CARES Act" payment you sought to receive.

If you need to contact the IRS, you can call (800) 830-5084. This number has been added to the approved list for all prisoners. Calls made to the IRS will be allotted more time, up to 60 minutes if necessary.

Prisoner cases

On Nov. 19, there were 699 positive cases and 1 negative result to report.

The 699 positive cases included:

Central Michigan Correctional - 344

Cooper Street Correctional - 106

Kinross Correctional - 67

Newberry Correctional - 65

Chippewa Correctional - 37

St. Louis Correctional - 31

Earnest C. Brooks Correctional - 17

Alger Correctional - 16

Gus Harrison Correctional - 4

Richard A. Handlon Correctional - 4

Charles Egeler Reception & Guidance - 2

Newberry Correctional - 2

Oaks Correctional - 2

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Prisoner cases

On Nov. 18, there were 751 positive cases and no negative results to report.

The 751 positive cases included:

Kinross Correctional - 670

Richard A. Handlon Correctional - 75

Central Michigan Correctional - 2

Charles Egeler Reception & Guidance - 2

Chippewa Correctional - 1

Gus Harrison Correctional - 1

Prisoner death

We are sad to report the death of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Muskegon Correctional Facility.

There have now been 76 prisoners in MDOC custody to pass away from this virus.

COVID-19 hotlines

The MDOC established COVID-19 hotlines to take calls from the public who have questions about what the department is doing during this pandemic and for calls regarding those in prison. Your loved ones can find these numbers on the MDOC's website.

PLEASE encourage your family to call these numbers rather than calling the parole board directly.

The calls will be answered from 8-5 Monday through Friday. Your family can also email askmdoc@michigan.gov with questions as well.

Social Distancing

Again, we need everyone to practice social distancing and stay six feet apart whenever possible. The department continues to urge you to not gather in unnecessary small or large groups. We

A P P E N D I X "F"

MDOC POSITIVE COVID-19 CASE REPORT DATED: 01/13/2020

A P P E N D I X "G"

MDOC MEDICAL KITE RESPONSE DATED: 01/05/2021

Michigan Department of Corrections
Kite Response

Offender #: 0161794 **Offender Name:** Odom, Steven Aderrick

Location: LCF - LAKELAND CORRECTIONAL FACILITY

Lock: B4:032:Bot:B4

Discipline: Medical

Received Date: 01/05/2021

Initiated Date: 01/05/2021

Taken By: Mikel, Nathan [NM1] RN

Request Type: Medical Question

Request Summary: "I Would Like To Know The Complete Cost To Have An MRI DONE ON ALL MY Vital Organs: Brain, Heart, Lungs, Liver, Kidneys, And Stomach? And To Whom This Money Is To be Paid To by My Family? I Want The Cost OF Transportation Included IN THIS TOO. Thank You!"

Plan/Action: MRI has to be ordered by a physician, cannot just get one without the order.

Comments:

Judge's Copy

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5. Specifically, Petitioner tested positive for COVID-19 in April of 2020. (See ECF No. 7, Appendix A, #1). Four months thereafter, he began to complain of pleuritic chest pain and difficulty breathing. As a result, Dr. Lizabeth Ralles ordered an x-ray on 08/26/2020. However, on 09/28/2020, the x-ray had still not been performed despite Petitioner's repeated complaints that his condition was worsening and that his urine smelled like ammonia. (See MDOC Kite Response Dated 09/29/2020 attached as, Appendix A).

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7. Subsequently, on October 9, 2020, an x-ray of Petitioner's chest was finally performed and revealed pneumonia. The x-ray also revealed that there was "...tortuosity of the thoracic aorta." (See MDOC Radiology Report Dated

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8. As a result of this diagnoses, Petitioner was prescribed an Azithromycin Z-Pack on 10/12/2020. Despite this treatment, Petitioner advised Dr. Ralles and MP Hill that his symptoms were getting worse and that he was experiencing debilitating pain in his right flank area. (See MDOC Kite Response Dated 11/01/2020 attached as, Appendix D). In response to his complaint of right flank pain, the MDOC ordered another chest x-ray.

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15. Further, and the risk of harm to Petitioner's health is not speculative when the MDOC fails to provide him timely and adequate medical care to diagnose and treat his post COVID-19 complaints. Especially when he has serious chronic

underlying medical conditions; because post COVID-19 ailments can be just as deadly for Petitioner, as the virus itself.

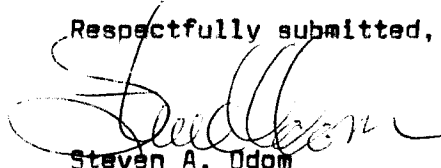
16. Therefore, this Court should either grant Petitioner release on bond, or grant him temporary release to home confinement so he can obtain the immediate and necessary medical care he needs. *Johnston v. Marsh*, 227 F.2d at 530-531. See also, *U.S. v. Perez*, No. 19 Cr. 297 (PAE), 2020 U.S. Dist Lexis 51867, 2020 WL 1329225, at *1 (S.D.N.Y. March 19, 2020) (Where defendant is under conditions of confinement which expose him to a deadly virus and contribute to the deterioration of his health).

17. Petitioner incorporated by reference the documents in the Appendix and the Brief in Support of his motion for release on bond currently pending before the Court. (ECF No. 7).

WHEREFORE, Petitioner prays that this Honorable Court will urgently consider the merits of his motion for release on bond.

NOTE: Because of the incarceration handicap, and the fact that no appearance has been filed by the Attorney General's Office on Respondent's behalf, Petitioner was unable to conduct a conference.

Respectfully submitted,



Steven A. Odom
In Pro Per
Lakeland Correctional Facility
141 First Street
Coldwater, Michigan 49036

Dated: January 18, 2020

A P P E N D I X "A"

MDOC MEDICAL KITE RESPONSE DATED: 09/29/2020

Michigan Department of Corrections
Kite Response

Offender #: 0161794 **Offender Name:** Odom, Steven Aderrick

Location: LCF - LAKELAND CORRECTIONAL FACILITY

Lock: B4:032:Bot:B4

Discipline: Medical

Received Date: 09/29/2020

Initiated Date: 09/28/2020

Taken By: Blue, Lori [LB6] RN

Request Type: Medical Question

Request Summary: On 8/26/2020 Dr. Ralles ordered a chest ex-ray because I've been experiencing Pleuritic pain. My condition has worsened. That is (1) Friday & Saturday I was coughing up dark brown mucus: (2) short breaths cause me pain: (3) I can't walk far without getting fatigued, and (4) my urine smells like ammonia. As such , I need to go to a hospital. if, however , I am not sent to a hospital by 09/30/2020 for diagnoses and treatment , I'm going to have me family and my attorney call the Bureau of Health Care to see if they can get me to a hospital before my health deteriorates completely.

Plan/Action: Nursing appt requested

Comments:

A P P E N D I X "B"

MDOC LAB REPORT DATED: 10/07/2020

Department of Corrections
Lab Report

Offender Name: Odom, Steven Aderrick
Date of Birth: 08/01/1962
Report Date: 10/07/2020

Sex: M
Provider: HILL, E'COE

Off #: 0161794

Test Name	Lab	Collection Date	Results Date
	Result	Reference Range	
COMMENTS:			
AMMONIA {NH3}		10/06/2020 00:15	10/07/2020 06:40
AMMONIA	48 (H)	11-35 UMOL/L	

A P P E N D I X "C"

MDOC RADIOLOGY REPORT DATED: 10/09/2020

MICHIGAN DEPARTMENT OF CORRECTIONS
BUREAU OF HEALTH CARE
RADIOLOGY REPORT

PATIENT NAME AND NUMBER: Odom, Steven 161794
PATIENT LOCK: LCF
REQUESTING PROVIDER: Hill

DATE OF EXAM: 10/09/2020
FACILITY OF EXAM: DWH

TYPE OF EXAM: CHEST, TWO VIEWS

Correlation was made to a previous study of 07/10/2019.

FINDINGS: A mild interstitial infiltrate is identified of both perihilar regions. In this clinical setting, an early interstitial pneumonia should be considered. The heart size is within normal limits with tortuosity of the thoracic aorta. The pulmonary vasculature appears normal.

Degenerative changes, in a mild to moderate degree, are re-demonstrated of the vertebral bodies of the thoracic spine.

IMPRESSION:

Bilateral interstitial infiltrates of the perihilar regions representing pneumonia. Clinical correlation is recommended.

Michael Henderson, DO #11462
MDOC Medical Provider

MH / nq
10/09/2020 6:53 PM / 10/12/2020 8:41 AM
24544059

Odom, Steven 161794
DOB: 08/01/1962

A P P E N D I X "D"

MDOC MEDICAL KITE RESPONSE DATED: 11/01/2020

Michigan Department of Corrections
Kite Response

Offender #: 0161794 **Offender Name:** Odom, Steven Aderrick

Location: LCF - LAKELAND CORRECTIONAL FACILITY **Lock:** B4:032:Bot:B4

Discipline: Medical

Received Date: 11/01/2020

Initiated Date: 10/30/2020

Taken By: Blue, Lori [LB6] RN

Request Type: Medical Question

Request Summary: NOTICE IS HEREBY GIVEN to Dr. Lizebeth Ralles and Nurse Practitioner Coe E. Hill , that the Azithromycin Z-pack issued on 10/12/2012 , did not do anything to abate my painful breathing symptoms, In fact, my symptoms have worsened since then. That is, it is more painful for me to breath today then it was prior to being prescribed any medication , additionally , I feel nauseous all the time: I've lost my appetite: my chest feels filled with fluid , and the pain I'm experiencing in my right flank-area , is debilitating. I FURTHER saith not.

Plan/Action: Nursing appt requested

Comments:

A P P E N D I X "E"

MDOC COVID-19 POSITIVE CASE REPORTS DATED:

1. DECEMBER 15, 2020
2. DECEMBER 13, 2020
3. DECEMBER 03, 2020
4. DECEMBER 03, 2020
5. NOVEMBER 25, 2020
6. NOVEMBER 19, 2020
7. NOVEMBER 18, 2020

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 15, there were 97 new positive cases to report. They include:

The positive cases include:

Carson City Correctional - 39

Cooper Street Correctional - 37

Lakeland Correctional - 13

Michigan Reformatory - 4

Oaks Correctional - 3

Women's Huron Valley – 1

Prisoner deaths

We are sad to report the deaths of three prisoners who had tested positive for COVID-19. The first prisoner had originally been housed at Baraga Correctional Facility and the second and third were both housed at Carson City Correctional Facility.

There have now been 102 prisoners in MDOC custody to pass away from this virus.

Video Visiting Update – ICF and MTU starting soon

Progress continues to be made in the department's efforts to implement video visitation. This update shares new dates for both Ionia Correctional Facility (ICF) and Richard A. Handlon Correctional Facility (MTU) showing when online scheduling will be opened and when the first video visits will be held. Fortunately, the vendor circuit upgrades for both facilities are nearing completion (meaning they will have the bandwidth necessary for video visits) and we have now removed the TBD and replaced it with dates for these two facilities:

MDOC Pilot Facility	Pilot Vendor	Installation Start Date	When can online scheduling begin?	First Video Visits
Parnall Correctional Facility (SMT)	GTL	9/28/2020	10/9/2020	10/12/2020

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 13, there were 369 positive cases and no negative results to report.

The 369 positive cases included:

Carson City Correctional - 363

Thumb Correctional Facility - 6

There were no negative results to report today.

Prisoner Deaths

We are sad to report the deaths of four prisoners who had tested positive for COVID-19. The first prisoner had originally been housed at Richard A. Handlon Correctional Facility, the second at Carson City Correctional Facility, the third at Chippewa Correctional Facility, and the fourth at Cooper Street Correctional Facility.

There have now been 99 prisoners in MDOC custody to pass away from this virus.

Remembering Retired Warden Howes

We are sad to report the death of retired Warden Carol Rose Howes, who passed away this past Thursday, December 10, at Bronson Methodist Hospital in Kalamazoo.

Warden Howes retired from the Michigan Department of Corrections in 2012 after serving as a Warden for 27 years and was the class namesake for the 2012 Howes Officer Recruit Training Academy Class.

Our thoughts are with her family, friends, and our colleagues who knew and worked with Carol during her time with the MDOC.

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 3, there were 1,362 positive cases and 5 negative results to report.

The 1,362 Positive Cases Include:

Central Michigan Correctional - 441
St. Louis Correctional - 195
Chippewa Correctional - 58
Earnest C. Brooks - 56
Newberry Correctional - 45
Cooper Street Correctional - 539
Kinross Correctional - 14
Baraga Correctional - 6
Alger Correctional - 2
Gus Harrison Correctional - 2
Richard A. Handlon Correctional - 2
Carson City Correctional - 1
Woodland Correctional - 1

The new negative cases include:

Marquette Branch Prison - 5

Prisoner deaths

We are sad to report the deaths of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Kinross Correctional Facility

There have now been 90 prisoners in MDOC custody to pass away from this virus.

Economic Impact Payments

As it works to process Economic Impact Payments for prisoners, the IRS has sent letters to some prisoners requesting the prisoner to verify their identity.

If you have received such a letter, you should contact your PC.

In order to complete the form for the IRS, you will need to have...

The Control Number on the letter received

The Adjusted Gross Income Amount -1040 Line 8b

The Refund Amount – 1040 Line 21a

Name, Title, and Email of the Requesting Official

Name of Facility

With that information, the facility will complete the form and send it to the IRS on your behalf.

B4

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Dec. 3, there were 404 positive cases and one negative result to report.

The 404 positive cases included:

Chippewa Correctional - 168

Charles Egeler Reception and Guidance - 106

St. Louis Correctional - 48

Newberry Correctional - 32

Central Michigan Correctional - 28

Saginaw Correctional - 8

Richard A. Handlon Correctional - 6

Baraga Correctional - 2

Gus Harrison Correctional - 2

Duane Waters Health Center - 1

Ionia Correctional - 1

Macomb Correctional - 1

Michigan Reformatory - 1

The new negative was from Women's Huron Valley.

Prisoner death

We are sad to report the death of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Earnest C. Brooks Correctional Facility

There have now been 91 prisoners in MDOC custody to pass away from this virus.

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Nov. 25, there were 207 positive cases and 3 negative results to report.

Positive cases include:

Gus Harrison Correctional - 175

Central Michigan Correctional - 8

Women's Huron Valley - 8

Carson City Correctional - 7

Charles Egeler Reception & Guidance - 5

Lakeland Correctional - 1

Newberry Correctional - 1

Cooper Street Correctional (SAI) – 1

The three new negative results were from Charles Egeler Reception & Guidance.

Prisoner deaths

We are sad to report the deaths of two prisoners who had tested positive for COVID-19. One prisoner had originally been housed at Richard A. Handlon Correctional Facility and the other at Muskegon Correctional Facility.

There have now been 79 prisoners in MDOC custody to pass away from this virus.

CDC says, "Take 3 Actions" to fight flu

#1 TAKE TIME TO GET A FLU VACCINE

CDC recommends a yearly flu vaccine as the first and most important step in protecting against flu and its potentially serious complications.

While there are many different flu viruses, flu vaccines protect against the viruses that research suggests will be most common. Flu vaccination has been shown to: Reduce flu illnesses,

B4

BY

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

CARES Act Payment call

Some prisoners may have received correspondence from the IRS asking them to call to confirm their identity, relating to the Coronavirus Aid, Relief, and Economic Security Act "CARES Act" payment you sought to receive.

If you need to contact the IRS, you can call (800) 830-5084. This number has been added to the approved list for all prisoners. Calls made to the IRS will be allotted more time, up to 60 minutes if necessary.

Prisoner cases

On Nov. 19, there were 699 positive cases and 1 negative result to report.

The 699 positive cases included:

Central Michigan Correctional - 344

Cooper Street Correctional - 106

Kinross Correctional - 67

Newberry Correctional - 65

Chippewa Correctional - 37

St. Louis Correctional - 31

Earnest C. Brooks Correctional - 17

Alger Correctional - 16

Gus Harrison Correctional - 4

Richard A. Handlon Correctional - 4

Charles Egeler Reception & Guidance - 2

Newberry Correctional - 2

Oaks Correctional - 2

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Nov. 18, there were 751 positive cases and no negative results to report.

The 751 positive cases included:

Kinross Correctional - 670

Richard A. Handlon Correctional - 75

Central Michigan Correctional - 2

Charles Egeler Reception & Guidance - 2

Chippewa Correctional - 1

Gus Harrison Correctional - 1

Prisoner death

We are sad to report the death of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Muskegon Correctional Facility.

There have now been 76 prisoners in MDOC custody to pass away from this virus.

COVID-19 hotlines

The MDOC established COVID-19 hotlines to take calls from the public who have questions about what the department is doing during this pandemic and for calls regarding those in prison. Your loved ones can find these numbers on the MDOC's website.

PLEASE encourage your family to call these numbers rather than calling the parole board directly.

The calls will be answered from 8-5 Monday through Friday. Your family can also email askmdoc@michigan.gov with questions as well.

Social Distancing

Again, we need everyone to practice social distancing and stay six feet apart whenever possible. The department continues to urge you to not gather in unnecessary small or large groups. We

A P P E N D I X "F"

MDOC POSITIVE COVID-19 CASE REPORT DATED: 01/13/2020

B-4

The Michigan Department of Corrections is committed to providing the prisoner population with up-to-date information as it relates to our efforts in dealing with the coronavirus disease 2019 (COVID-19).

Prisoner cases

On Jan. 13, there were 16 new positive cases to report. They include:

Chippewa Correctional - 7
Woodland Center Correctional - 4
Oaks Correctional - 2
Richard A. Handlon Correctional - 2
Lakeland Correctional - 1

Prisoner Step Downs and Recoveries

We are happy to share that today's report shows an additional 2,497 prisoners have been confirmed recovered following a positive test for COVID-19. That brings our number of prisoners in step-down to 1,594 and the number of total prisoners recovered to 17,313.

Prisoner death

We are sad to report the death of a prisoner who had tested positive for COVID-19. The prisoner had originally been housed at Saginaw Correctional Facility. There have now been 124 prisoners in MDOC custody to pass away from this virus.

COVID-19 hotlines

The MDOC established COVID-19 hotlines to take calls from the public who have questions about what the department is doing during this pandemic and for calls regarding those in prison. Your loved ones can find these numbers on the MDOC's website.

PLEASE encourage your family to call these numbers rather than calling the parole board directly.

The calls will be answered from 8-5 Monday through Friday. Your family can also email askmdoc@michigan.gov with questions as well.

Social Distancing

Again, we need everyone to practice social distancing and stay six feet apart whenever possible. The department continues to urge you to not gather in unnecessary small or large groups. We

A P P E N D I X "G"

MDOC MEDICAL KITE RESPONSE DATED: 01/05/2021

Michigan Department of Corrections

Kite Response

Offender #: 0161794 **Offender Name:** Odom, Steven Aderrick**Location:** LCF - LAKELAND CORRECTIONAL FACILITY**Lock:** B4:032:Bot:B4

Discipline: Medical**Received Date:** 01/05/2021**Initiated Date:** 01/05/2021**Taken By:** Mikel, Nathan [NM1] RN**Request Type:** Medical Question**Request Summary:** "I Would Like To Know The Complete Cost To Have An MRI DONE ON ALL MY Vital Organs: Brain, Heart, Lungs, Liver, Kidneys, And Stomach? And To Whom This Money Is To be Paid To by My Family? I Want The Cost OF Transportation Included IN THIS TOO. Thank You!"**Plan/Action:** MRI has to be ordered by a physician, cannot just get one without the order.**Comments:**

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEVEN A. ODOM, #161794,

Petitioner,

Case No. 2:20-cv-12180

-VS-

Judge Arthur J. Tarnow

BRYAN MORRISON, WARDEN

Magistrate Judge Anthony P. Patti

Respondent.

STATE OF MICHIGAN)
) ss
COUNTY OF BRANCH)

PROOF OF SERVICE

I, Steven A. Odum, under penalty of perjury states that on January 19, 2020, I served by regular U.S. Mail, Petitioner's Ex-Parte Emergency Motion for Immediate Consideration of His Motion for Bond, on the Clerk of the United States District Court for the Eastern District of Michigan, Southern Division, at the Court's address in Detroit, Michigan, by placing same in a sealed envelope and placing in the hands of prison officials here at the Lakeland Correctional Facility in Coldwater, Michigan 49036.

1/31 Steven A. Odom
Steven A. Odom

Dated: January 19, 2020

Steve Odum #161794
Sakeland Correctional Facility
141 First Street
Caldwaller, Michigan 49036

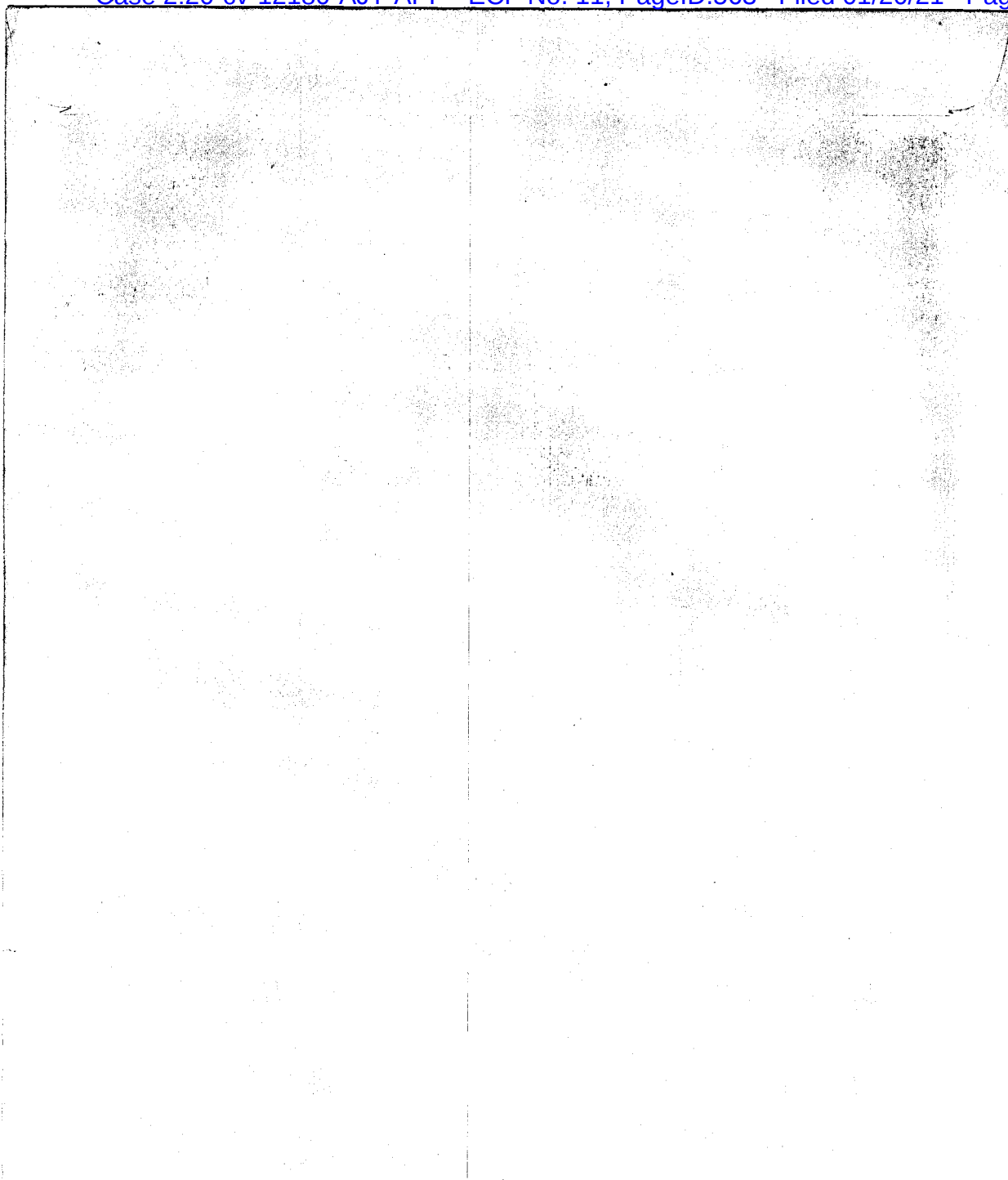


1/20/21

RECEIVED
FEB - 8 2021
CLERK'S OFFICE
U.S. DISTRICT COURT

Office of the Clerk
U.S. District Court
U.S. Federal Bld.-Courthouse
231 W. Lafayette Blvd.
Detroit, Michigan 48226

U.S. MARSHALS



At the time of the incident, the defendant was driving a vehicle on a public road. The defendant was traveling in the same direction as the vehicle that was struck. The defendant was driving at a speed of approximately 40 miles per hour. The defendant was not wearing a seat belt. The defendant was not using a mobile phone while driving. The defendant was not under the influence of any alcohol or drugs. The defendant was not aware of the vehicle that was struck. The defendant was not responsible for the incident. The defendant was not negligent. The defendant was not liable for the incident. The defendant was not at fault. The defendant was not the cause of the incident. The defendant was not the driver of the vehicle that was struck. The defendant was not the owner of the vehicle that was struck. The defendant was not the registered owner of the vehicle that was struck. The defendant was not the lessee of the vehicle that was struck. The defendant was not the borrower of the vehicle that was struck. The defendant was not the person in control of the vehicle that was struck. The defendant was not the person who was driving the vehicle that was struck. The defendant was not the person who was operating the vehicle that was struck. The defendant was not the person who was in the driver's seat of the vehicle that was struck. The defendant was not the person who was behind the wheel of the vehicle that was struck. The defendant was not the person who was at the controls of the vehicle that was struck. The defendant was not the person who was in charge of the vehicle that was struck. The defendant was not the person who was responsible for the vehicle that was struck. The defendant was not the person who was liable for the vehicle that was struck. The defendant was not the person who was at fault for the vehicle that was struck. The defendant was not the person who was the cause of the vehicle that was struck. The defendant was not the person who was the driver of the vehicle that was struck. The defendant was not the person who was the operator of the vehicle that was struck. The defendant was not the person who was the person in control of the vehicle that was struck. The defendant was not the person who was the person who was behind the wheel of the vehicle that was struck. The defendant was not the person who was the person who was at the controls of the vehicle that was struck. The defendant was not the person who was the person who was in charge of the vehicle that was struck. The defendant was not the person who was the person who was responsible for the vehicle that was struck. The defendant was not the person who was the person who was liable for the vehicle that was struck. The defendant was not the person who was the person who was at fault for the vehicle that was struck. The defendant was not the person who was the person who was the cause of the vehicle that was struck.